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EXHIBIT	DESCRIPTION	PAGE
02-6235-04	"JUDGEMENT" as entered by Judge Jennifer B. Coffman, U. S. District Court for the Eastern District of Kentucky-Lexington Division, on 09/25/02	7
02-6235-23	"ORDER" pursuant to opinion of JJ. CLAY and GIBBONS; CLELAND sitting by designation, affirming Exhibit 02-6235-04 hereinabove, entered 05/02/03	11
02-6235-24	Akers' "PETITION FOR EN BANC DETERMINATION" as served and filed on May 19, 2003 (w/ transmittal letter and postal receipts)	18
02-6235-25	"ORDER" denying the filing of Akers' "PETITION FOR EN BANC DETERMINATION", entered 05/29/03	37

CERTIFICATE OF SERVICE

COMES THE PLAINTIFF-APPELLANT, James G. Akers, **without counsel** in strict accordance with Title 28 U.S.C. § 1654, and certifies that I have on this, the 4th day of June, 2003, served one (1) true copy of the foregoing "MOTION FOR RECONSIDERATION", upon lead counsel of record for each and every opposing party, via "UNITED STATES MAIL-FIRST CLASS", postage pre-paid, and in that manner as follows:

(Listing of served Parties and/or their respective Counsel-of-Record are omitted from instant Petition for Writ of Certiorari for the purposes of economy & handling by Court. **See official record for listings.**)

s/ James G. Akers
JAMES G. AKERS, *Plaintiff-Appellant*
POST OFFICE BOX 3648
BRENTWOOD, TENNESSEE 37024

[END OF DOCUMENT]

C.O.A. CASE NUMBER: 02-6235
IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

JAMES G. AKERS,	)	
	)	
Plaintiff-Appellant,	)	
	)	**MOTION FOR LEAVE**
v.	)	**TO FILE AMENDED**
	)	**PETITION FOR EN BANC**
	)	**DETERMINATION**
	)	
CAROLYN P. BISHOP; et al,	)	
	)	
Defendants-Appellees.	)	

ON APPEAL FROM UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF KENTUCKY-LEXINGTON DIVISION

COMES THE PLAINTIFF-APPELLANT, James G. Akers (hereinafter "Akers"), **without counsel** in strict accordance with Title 28 U.S.C. § 1654 and, pursuant to FRAP 27(a) & (b), 6 CIR. R. 27(a) thru (c), & 6 Cir. Rule 28(a) at lines 14 thru 16, moves this Honorable Court for leave to file Akers' herewith and contemporaneous "AMENDED PETITION FOR EN BANC DETERMINATION" to supersede and replace, **in its entirety**, Akers' "PETITION FOR EN BANC DETERMINATION" as served and filed on May 19, 2003. In support thereof, Akers asserts as follows:

LEGAL ARGUMENT

1. On May 19, 2003, Akers served and filed the said "PETITION FOR EN BANC DETERMINATION" in strict accordance with Title 28 U.S.C. 1654, FRAP 26(a) & (c), 6 CIR.

I.O.P. 35(b), FRAP 40(a)(1) & (2), and 6 CIR. I.O.P. 40(a) at lines 5 through 9, respectively.

2. It is apparent that, thereafter, an unknown entity at either the Sixth Circuit Court of Appeals or Clerk's office thereof, made unauthorized and unacceptable hand-written notations and/or corrections to Akers' said "PETITION FOR EN BANC DETERMINATION".

3. The said "unauthorized and unacceptable hand-written notations and/or corrections" are detrimental to the intent and overall presentation of Akers' "PETITION FOR EN BANC DETERMINATION".

4. If Akers' herewith and contemporaneous 'MOTION FOR RECONSIDERATION" of the "ORDER" denying the filing of Akers' "PETITION FOR EN BANC DETERMINATION" is "**GRANTED**" - **as it must be if proper consideration is given to FRAP 26(a) & (c)**, Akers will be unduly prejudiced by those said "unauthorized and unacceptable hand-written notations and/or corrections" to Akers' "PETITION FOR EN BANC DETERMINATION" as served and filed on May 19, 2003.

5. The **only amendments** contained within Akers' "AMENDED PETITION FOR EN BANC DETERMINATION" are with respect to "clerical errors".

WHEREFORE, the Plaintiff-Appellant, James G. Akers ("Akers"), **without counsel** in strict accordance with Title 28 U.S.C. § 1654, prays of this Honorable Court to "**GRANT**" the filing of Akers' herewith "AMENDED PETITION FOR EN BANC DETERMINATION".

Respectfully submitted,

s/ James G. Akers
JAMES G. AKERS, ***Plaintiff-Appellant***
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